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### REMARKS

The RCE and amendment is in further response to the nonfinal Office Action mailed June 30, 2004, and supplements Applicants response of September 24, 2004, which is also expressly incorporated herein. Applicants respectfully request entry of the amendments and consideration of the remarks set forth herein.

#### Status of the Claims

##### *Pending claims*

Claims 1 to 33 are pending.

##### *Claims added in the instant amendment*

Claims 34 to 82 are added. Thus, after entry of the instant amendment, claims 1 to 82 will be pending and under examination.

#### Support for the claim amendments

The specification sets forth an extensive description of the invention in the new and amended claims. For example, support for claims directed to methods wherein greater than 80%, 85%, 89%, 90%, 91%, 92%, 93%, 94% or 95% of the cells are stably transduced by about 14 days can be found, inter alia, on page 27, lines 1 to 5, and page 29, lines 20 to 34, of WO 02/18609. Support for claims directed to methods wherein the cell surface binding molecule comprises a polypeptide, a lipid, a nucleic acid, a carbohydrate or an ion can be found, inter alia, on page 5, lines 20 to 21. Support for claims directed to methods wherein the cell surface binding molecule comprises an antibody, an antigen binding fragment, a ligand or a cell surface molecule can be found, inter alia, on page 5, lines 4 to 9. Support for claims directed to methods wherein the cell surface binding molecule comprises a ligand can be found, inter alia, on page 11, lines 7 to 26. Support for claims directed to methods comprising pre-stimulating the primary cells or hematopoietic stem cells with at least one cell surface binding molecule is either within twenty four (24) hours prior to step (c), or optionally the pre-stimulation with at least one cell surface binding molecule is for about 12 to about 96 hours, can be found, inter alia, on page 25, lines 15 to 24. Support for claims directed to methods for introducing genetic material into a cell comprising ex

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*vivo* introduction of a cell transduced by the method of the invention into a tissue, an organ, a blastocyst or an embryonic stem cell, can be found, *inter alia*, on page 8, lines 1 to 9. Accordingly, no new matter is added in the instant amendment.

Information Disclosure Statement


Applicants thank the Examiner for considering and initialing the references listed on the Information Disclosure Statement (IDS) submitted January 30, 2004 (in PAIR as February 3, 2004). It is respectfully requested that the cited information be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 397272000401. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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